

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 79-31

ENFORCEMENT ORDER FOR ISSUANCE OF A TIME SCHEDULE

Order directing U.S. Navy, Public Works Center - San Francisco Bay to comply with Requirements prescribed by the California Regional Water Quality Control Board, San Francisco Bay Region in Order No. 79-30 (NPDES Permit No. CA0110248).

The California Regional Water Quality Control Board, San Francisco Bay Region finds that:

1. This Board on March 20, 1979 adopted Order No. 79-30 prescribing waste discharge requirements for U.S. Navy, Public Works Center - San Francisco Bay (hereinafter discharger) in accordance with the statutory requirements of the Federal Water Pollution Control Act and the California Water Code. The NPDES permit contains an immediate compliance date for achieving the effluent limitations as required by the Federal Act.
2. The discharger has submitted evidence which documents that the above requirements contained in Order No. 79-30 cannot be achieved. The Subregional Study for East Marin/South Sonoma has been delayed for reasons largely beyond the discharger's control.
3. The discharger has submitted a time schedule by which he can achieve the above requirements.
4. The Board has notified the discharger and interested agencies and persons of its intent to adopt a time schedule for compliance.
5. The Board in a public hearing heard and considered all comments pertaining to this discharger's ability to achieve compliance.

IT IS HEREBY ORDERED, that in accordance with Water Code Section 13300 the discharger shall comply with Provision D.2. of Order No. 79-30 according to the following time schedule:

The discharger shall comply with the following time schedule to assure compliance with Prohibitions A.1. and A.2.; and Receiving Water Limitations C.1.a., C.1.c., C.2.a., C.2.c., C.2.d., and C.2.e. of Order No. 79-30:

- | <u>1. Task</u> | <u>Completion Date</u> |
|---|------------------------|
| a. Complete all work required of the dischargers for the Eastern Marin-Southern Sonoma Waste-water Management Plan including the following: | |
| b. Submit request for Federal Budget funding of Federal's share of the facilities costs | by August 1, 1979* |

<u>Task</u>	<u>Completion Date</u>
c. Complete all Joint Powers Agreements and/or institutional arrangements necessary to administer the design, construction, and operation of the proposed facilities	by one month after EIR/EIS is finalized
d. Submit Joint Powers Agreement to State Water Resources Control Board (SWRCB) legal staff for approval	by one month after EIR/EIS is finalized
e. Submit final Project Report and final EIR/EIS to SWRCB and this Board	by one month after EIR/EIS is finalized
f. Submit time schedule for design and construction of facilities necessary to achieve compliance	by one month after EIR/EIS is finalized
g. Have funding for proposed facilities in an adopted Federal Budget	by December 31, 1981
h. Begin construction	by April 1, 1982

*If the Environmental Protection Agency does not finalize the EIS by this date, the discharger shall complete the task in the shortest reasonable period of time after the EIS is finalized.

2. The discharger is required to provide to the Board by June 15, 1979, and monthly thereafter, a report on progress toward compliance with the above time schedule.
3. This Order expires on July 1, 1983.

This Board declares that it shall not undertake further enforcement action to bring the discharger into compliance with effluent limitations immediately as contained in Order No. 79-30 provided:

- a. The discharger complies fully with all terms of the time schedule contained in this Order;
- b. The discharger complies fully with all terms of the permit with the exception of Prohibitions A.1., A.2.; and Receiving Water Limitations C.1.a., C.1.c., C.2.a., C.2.c., C.2.d., and C.2.e. of Order No. 79-30;
- c. Circumstances do not occur which would warrant modification of the permit or time schedule; and
- d. Circumstances do not occur which would warrant an action under Section 504 of the Federal Water Pollution Control Act.

The action taken by this Board pertaining to the time schedule does not preclude the possibility of actions to enforce the permit by third parties pursuant to Section 505 of the Federal Water Pollution.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region on March 20, 1979.

FRED H. DIERKER
Executive Officer